

REMARKS/ARGUMENTS

Claims 1-48 and 63-79 are pending in this application. Claims 1, 63 and 69 are amended. No new matter has been introduced. Based on the present amendment and following remarks, examination and allowance of claims 1-48 and 63-79 are respectfully requested.

Claim 78 is allowed. Claims 39, 41, 66-69 are objected to as dependent on a rejected base claim, but would be allowable if rewritten in independent form.

Claims 1, 30, 38, 63-64, 76-77 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent 3,956,124 to Fast et al. ("Fast").

Fast describes a hypolimnion oxygenation system in which withdrawn water is pressurized, injected with relatively pure oxygen gas and returned to the hypolimnion to improve oxygen content. The system of Fast is operated so as to result in a dissolved oxygen concentration less than supersaturation in the conduit and at the remixing point (col. 3, lines 37-41; col. 8, lines 18-21; and abstract).

Claim 1 has been amended to recite that the gas-enriched fluid is gas-supersaturated by the treatment gas. This feature is absent from, and in fact taught against, in Fast. Claim 63 has been similarly amended. Accordingly, Applicants respectfully submit that claims 1 and 63, and claims 30, 38, 64, and 76-77 depending therefrom, are novel and non-obvious over Fast. Withdrawal of the rejection of these claims under 35 U.S.C. § 102(b) on that basis is requested.

Claim 69 was objected to for recitation of "comprises a at least one cart." In accordance with the Examiner's preference, claim 69 has been amended to recite "comprises at least one cart."

Claims 40 and 79 were rejected under 35 U.S.C. § 112, second paragraph, because the Examiner could not find a difference in scope between the two claims. This rejection is moot

due to the amendment of claim 1, from which claim 40 depends. The amendment to claim 1 introduces subject matter not made part of allowable claim 79. Accordingly, Applicants respectfully submit that both claims 40 and 79 may now pass to allowance.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

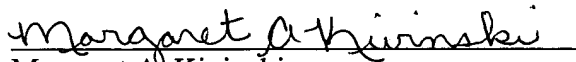
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is invited to call the undersigned attorney at the telephone number below to discuss the steps necessary for placing the application in condition for allowance.

General Authorization for Extensions of Time

In accordance with 37 C.F.R. § 1.136(a), Applicants hereby provide a general authorization to treat this and any future reply requiring an extension of time as incorporating a request therefor. **Applicants have enclosed a Fee Transmittal along with DynamOx, Inc. Check No. 1143 in the amount of \$55.00 to cover a one-month extension of time fee set in § 1.17(a)(1).** Furthermore, Applicants authorize the Commissioner to charge any additional fees due in connection with the filing of this response to our Deposit Account No. 50-1769; Order No. PA074-US.

Respectfully submitted,

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